



JC10 Rec'd T/PTO 08 JUL 2005

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q83451

Robert LANGE

Appln. No.: 10/506,803

Group Art Unit: Not yet assigned

Confirmation No.: 6807

Examiner: Not yet assigned

Filed: September 07, 2004

For: LONGITUDINAL IMPLANT

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

MAIL STOP PCT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)", mailed March 14, 2005, Applicant respectfully submits that a Declaration, properly executed by the inventor in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date, was in fact filed along with a check in the amount of \$65.00 for late surcharge fee on January 14, 2005. Receipt of the Declaration, Assignment and checks for surcharge fee and recordation fee was acknowledged by the PTO as evidenced by the receipt attached hereto date stamped by the PTO on January 14, 2005.

Missing Requirements
10/506,803

Nevertheless, and in the interest of resolving this matter as expeditiously as possible, Applicant is submitting again a copy of the two-page Declaration as filed on January 14, 2005, along with a copy of the Notification of Missing Requirements. In view of the foregoing, Applicant respectfully requests the PTO to withdraw the Notification of Missing Requirements mailed on March 14, 2005, with a confirmation that the erroneous Notification has been vacated. If any fee is needed for the present response, including any extension of time fee, please charge it to Deposit Account No. 19-4880. A duplicate copy of this paper is being submitted herewith.

Respectfully submitted,

Alan J. Kasper / *Bruce E. Krome*
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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: July 8, 2005

123

FILING RECEIPT
PLEASE DATE STAMP AND RETURN TO US - BOX 235X

In re application of

Robert LANGE

Appln. No.: 10/506,803

Group Art Unit: Not yet assigned

Confirmation No.: Not yet assigned

Examiner: Not yet assigned

Filed: September 07, 2004

For: LONGITUDINAL IMPLANT

PAPER(S) FILED ENTITLED:

1. Submission of Executed Declaration (in duplicate) with a copy of the executed Declaration and Power of Attorney, and in the amount of \$65.00
2. Copy of an executed Assignment with PTO Form 1595 and a check in the amount of \$40.00

SUGHRUE MION, PLLC

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DOCKET NO.: Q83451

ATTORNEY/SEC: Darryl Mexic/tmm

Date Filed: January 14, 2005

WASHINGTON OFFICE

23373

CUSTOMER NUMBER





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/506,803	FIRST NAMED APPLICANT Robert Lange	ATTY. DOCKET NO. Q83451
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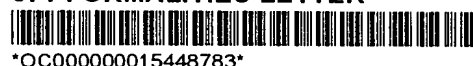
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DOCKED

MAR 16 2005

INTERNATIONAL APPLICATION NO. PCT/CH02/00136	
I.A. FILING DATE 03/06/2002	PRIORITY DATE 03/09/2001

CONFIRMATION NO. 6807
 371 FORMALITIES LETTER



Date Mailed: 03/14/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/07/2004
- Copy of the International Search Report filed on 09/07/2004
- Copy of IPE Report filed on 09/07/2004
- Copy of Annexes to the IPER filed on 09/07/2004
- Information Disclosure Statements filed on 09/07/2004
- Small Entity Statement filed on 09/07/2004
- Request for Immediate Examination filed on 09/07/2004
- Copy of references cited in ISR filed on 09/07/2004
- U.S. Basic National Fees filed on 09/07/2004
- Priority Documents filed on 09/07/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

Additionally the following defects have been observed:

- Annexes have not been entered because Not a page for page substitution.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/506,803	PCT/CH02/00136	Q83451

FORM PCT/DO/EO/905 (371 Formalities Notice)